

REMARKS

In the Office Action¹ mailed December 22, 2008, the Examiner withdrew from consideration claims 70-73, 75, and 76; rejected claims 45, 58, 69, and 74 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,568,194 to Abe ("Abe"); rejected claims 52 and 63 as being unpatentable over Abe in view of U.S. Patent Application Publication 2006/0250515 to Koseki et al. ("Koseki"); and objected to claims 46-51, 53-57, 59-62, and 64-68 as being dependent upon a rejected base claim but allowable if rewritten in independent form.

As an initial matter, Applicants thank the Examiner for the indication of allowable subject matter.

Applicants hereby amend claims 45-49, 51-60, 62-69, and 74, and cancel claims 50, 61, 70-73, 75, and 76 without prejudice or disclaimer. Claims 45-49, 51-60, 62-69, and 74 remain pending.

Applicants respectfully traverse the rejection of claims 45, 58, 69, and 74 under 35 U.S.C. § 102(b) as being anticipated by Abe. Independent claim 45 is amended to include allowable subject matter from claim 50, and is thus allowable over Abe. The claim has further been amended to place the claim in better conformance with U.S. practices.

Although of different scope than claim 45, amended independent claims 58, 69, and 74 are allowable over Abe for at least similar reasons as independent claim 45.

¹ The Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

Dependent claims 46-49, 51, 56, 57, 59-60, and 62 depend on one of the independent, and are allowable at least based on their dependence on their respective base claims.

Applicants respectfully traverse the rejection of claims 52 and 63 under 35 U.S.C. § 103(a) as unpatentable over Abe in view of Koseki. Dependent claims 52 and 63 dependent from allowable independent claims 45 and 58, respectively, and are thus allowable over Abe and Koseki. Furthermore, claims 53-55 and 64-68 depend from dependent claims 52 and 63, respectively, and are allowable for similar reasons.

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.


If the Examiner believes a telephone conference would be useful in resolving any outstanding issues, the Examiner is invited to call the undersigned at (202) 408-4268.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: May 21, 2009

By: 
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